

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:22-cv-00463-MR**

LARRY BRANDON MOORE,

Plaintiff,

vs.

DAVID REID, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on review of the Plaintiff's pro se Complaint [Doc. 1]. The Plaintiff is proceeding in forma pauperis. [Doc. 6].

The pro se Plaintiff, who is incarcerated at the Eastern Correctional Institution, filed this civil rights action pursuant to 42 U.S.C. § 1983 claiming that the post-release sentence that he is presently serving violates the United States Constitution and North Carolina General Statutes. [Doc. 1 at 4-5]. He names as Defendants: David Reid, a North Carolina Post-Release Supervision and Parole Commission ("the Parole Commission") case analyst in Raleigh, North Carolina; Willis Fowler, the Parole Commission's chairman in Raleigh; Hon. J. Foster, a Pitt County Superior Court judge; and Hon I. Berger, a North Carolina Supreme Court justice in Raleigh.

Under the general venue provision of 28 U.S.C. § 1391(b), a civil action may be brought in “(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred ... ; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b). Further, a court may transfer a civil action to any district where the action might have originally been brought “[f]or the convenience of the parties and witnesses, in the interest of justice.” 28 U.S.C. § 1404(a).

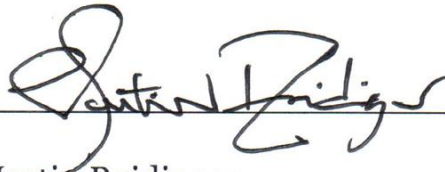
The incidents at issue in this case allegedly occurred—and the Defendants all appear to be located—in Wake County, which is located in the Eastern District of North Carolina. The Plaintiff is incarcerated in Greene County, which is also located in the Eastern District of North Carolina. To the extent that Plaintiff may be able to state a cognizable claim against any Defendant, venue is thus appropriate in the Eastern District of North Carolina.

For the reasons stated herein, this action will be transferred to the Eastern District of North Carolina.

IT IS THEREFORE ORDERED that the Clerk of Court is hereby ordered to transfer this action to the Eastern District of North Carolina.

IT IS SO ORDERED.

Signed: October 27, 2022



Martin Reidinger
Chief United States District Judge

